

12:45

5G 62%

< (612) 662-4225

PLAINTIFF'S
EXHIBIT

A

Tuesday, Apr 5 • 11:38 AM

Can I call you? This
is Mark from JaScott
Investment. We spoke
yesterday



Friday, Apr 8 • 10:32 AM

I'll call you back.



Good Morning, are you
available?

Apr 8, 10:33 AM

Text message



< (612) 662-4205



PLAINTIFF'S
EXHIBIT

B

Tuesday, Apr 12 • 2:06 PM

Texting with (612) 662-4205 (SMS/MMS)

Hey Brandon, This is
mark over here from
JaScott Investment, I
got a good news for you
call me back please

Apr 12, 2:06 PM

In a meeting. Will call
when able

yes sure, I'm waiting

Tuesday, Apr 12 • 4:58 PM

please check your mail,
just send over the
business check



| Text message





Brandon Callier <callier74@gmail.com>

Professional courtesy response

1 message

Dave Thurber <dave@upwisecapital.com>

Tue, Apr 19, 2022 at 9:52 AM

To: Brandon Callier <callier74@gmail.com>, Mark Fawzy <mark.fawzy@jascott.org>

Brandon,

We have left multiple messages and have tried to reach you. Please advise on the lack of communication and when we are going to be completing this deal.

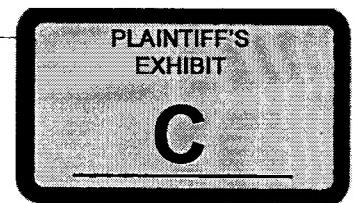
Get Outlook for iOS

From: Dave Thurber <dave@upwisecapital.com>

Sent: Wednesday, April 13, 2022 9:42:10 AM

To: Brandon Callier <callier74@gmail.com>; Mark Fawzy <mark.fawzy@jascott.org>

Subject: Re: Funding Offers



Brandon,

Contracts were sent to you just now. Bank verification is below. Let me know when you complete both.

<https://www.decisionlogic.com/44B2G6>

On Tue, Apr 12, 2022 at 7:10 PM Brandon Callier <callier74@gmail.com> wrote:

On Tue, Apr 12, 2022, 5:01 PM Dave Thurber <dave@upwisecapital.com> wrote:

Good afternoon Brandon,

I will be assisting with the closing process here. Per Mark's email, please send over the business voided check and your drivers license. We will send you contracts sometime tomorrow once we have received both.

From there, the order for funding will go as follows.

- Signed contracts (Will be sent to your email)
- Bank verification (I will send you a link that allows us to confirm statements are not fraudulent/it is protocol)
- Funding call (takes 3-5 minutes)

On Tue, Apr 12, 2022 at 6:56 PM Mark Fawzy <mark.fawzy@jascott.org> wrote:

Please send over this documents, We are preparing the contract paper and getting back to you soon.
Thank you.

- Business voided check
- Owners Drivers License

--

Best Regards,

Dave Thurber

Funding Manager

DocuSign Envelope ID: 8509C9E7-3E0D-45B6-A77F-F5910F755D70



PLAINTIFF'S EXHIBIT

D

MERCHANT AGREEMENT - TOTAL REVENUE PROGRAM - Date: April 13, 2022

SELLER INFORMATION

Legal Name: GONNA KEEP ON TRUCKIN LLC
 Federal Tax ID: 81-2555653
 Bank Name (Business Acc.): SEE VOIDED CHECK
 Physical Address: 12200 FOLKLORE CT., EL PASO, TX 79936
 Phone No.: 915-383-4604 Fax No.:
 Business Start Date: 2016 Credit Card Processor Name:

GUARANTOR(S) INFORMATION

Name of Guarantor 1: BRANDON CALLIER	DOB: 06/16/1974	SSN: 563-63-4809
Physical Address: 6336 FRANKLIN TRAIL DR., EL PASO, TX 79912	Mailing Address: SAME AS LEFT	
Email Address: CALLIER74@GMAIL.COM	Cell Phone No.:	
Bank Name (Personal Acc.):	Bank Acc. No.:	Branch Address:
Name of Guarantor 2:		SSN:
Physical Address:		
Email Address:		
Bank Name (Personal Acc.):	Bank Acc. No.:	Branch Address:
Name of Owner/Principal 3:		SSN:
Physical Address:		
Email:		
Bank Name (Personal Acc.):	Bank Acc. No.:	Branch Address:
Name of Owner/Principal 4:		SSN:
Physical Address:		
Email:		
Bank Name (Personal Acc.):	Bank Acc. No.:	Branch Address:

PURCHASE OF FUTURE RECEIVABLES

PAC WESTERN FINANCIAL LLC DBA UPWISE CAPITAL FUNDING (together with its successors and/or assigns, the "Buyer") hereby purchases from the Seller set forth above (the "Seller"), a percentage, as specified below (the "Purchased Percentage"), of the proceeds of each future sale by Seller whether the proceeds are paid by cash, check, ACH, credit card, debit card, bank card, charge card and/or other means (collectively "Future Sale Proceeds") until the Buyer has received the amount specified below (the "Purchased Amount") for the purchase price ("Purchase Price") set forth below. The funded amount ("Funded Amount") is the amount to be received by the Seller. See Use of Sale Proceeds Itemization below.

USE OF SALE PROCEEDS ITEMIZATION

Purchase Price: \$50,000.00	Purchased Percent: 20%	Purchased Amount: \$71,000.00
Minus the Closing Fee: \$1,500.00	Minus Amount Paid to Previous Agreement: \$0.00	Funded Amount to be Received by Seller: \$48,500.00

In exchange for the foregoing, the Seller hereby agrees to deposit all Future Sale Proceeds into the bank account identified above (or such other bank account as may be approved by the Buyer pursuant to the provisions hereof, the "Bank Account") maintained with the bank holding the Bank Account (the "Bank"), and the Seller hereby authorizes Buyer and its agents to initiate electronic checks or Automated Clearinghouse (ACH) payments equal to the Purchased Percentage of all deposits made into the Bank Account until the Buyer has received an amount equal to the Purchased Amount.

PERSONAL GUARANTEE OF CONTRACTUAL TERMS

In consideration of Buyer entering into this Agreement, and to induce Buyer to enter into this Agreement, the undersigned principal(s) of Seller ("Guarantor(s)") hereby personally guarantee ("guarantee") to Buyer that: (i) all information provided by Seller to Buyer in connection with the transaction contemplated by this Agreement is true, correct and complete; (ii) Seller shall exclusively use the bank account for the deposit of all future sale proceeds and shall not close the bank account or cease to use the bank account as the sole account into which to deposit all future sale proceeds, in each case, prior to the time that Buyer has received the entire purchased amount; and (iii) Seller shall not breach, or do any of the acts prohibited by, Section 3.1 and 4.4 of this Agreement. This Guarantee shall be the continuing, irrevocable, unconditional and joint and several obligations of the Guarantor(s), and the Guarantor(s) hereby waive demand of payment, notice of presentment, and any and all requirements of notice, defenses, offsets and counterclaims and any other act or omission of Buyer which changes the scope of the Guarantor(s)' risk, and Guarantor(s) further agree that Buyer may proceed directly against the Guarantor(s) without first proceeding against Seller. Guarantor(s) further guarantees the payment of and agrees to pay all Indemnified Amounts (as defined in Section 5.7 hereof). By signing below, Guarantor(s) agree to this Guarantee and agree to and remake each representation, warranty and covenant set forth in Sections 2.1, 3 and 4.1 and 4.4 hereof, which representations, warranties and covenants shall survive the execution and delivery or termination of this Agreement as provided in Section 5.8 hereof. The Guarantor(s) specifically consent and agree to be bound by the terms and conditions of this Agreement which are applicable to Guarantor(s), including Section 5.10 Covenant Not to Sue, Section 5.11 Waiver of Jury Trial, Section 5.12 Waiver of Punitive Damages, And Section 5.13 Waiver of Class Action.

ACCEPTANCE

Upon execution hereof, each of the parties hereto shall be obligated hereunder and shall be subject to all of the terms and conditions stated on this page and on the attached Additional Terms of Agreement, including Addenda or Riders, if any, hereto (collectively, this "Agreement"), including Section 5.10 Covenant Not to Sue, Section 5.11 Waiver of Jury Trial, Section 5.12 Waiver of Punitive Damages, And Section 5.13 Waiver of Class Action. The person executing this Agreement on behalf of the Seller warrants and represents that he/she is authorized to bind the Seller to all of the terms and conditions set forth on this page and on the attached "Additional Terms of Agreement" and that all of the information provided herein is true and accurate in all respects. Buyer's payment of the Purchase Price shall be deemed Buyer's acceptance of this Agreement.

SELLER:	GUARANTOR(S):		
Signature:	Date:	Signature:	Date:
Name: BRANDON CALLIER	Title:	Name: BRANDON CALLIER	Title:
		Date:	
		Name:	Title:



Brandon Callier <callier74@gmail.com>

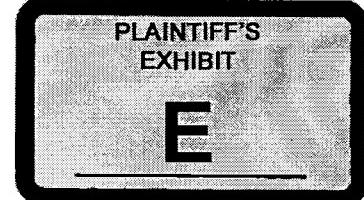
Please DocuSign: GONNA KEEP ON TRUCKIN AGREEMENT 041322

1 message

Pac Western Financial via DocuSign <dse_NA4@docsign.net>
Reply-To: Pac Western Financial <info@pacwesternfinancial.com>
To: Brandon Callier <CALLIER74@gmail.com>

Tue, Apr 19, 2022 at 11:44 AM

DocuSign



Pac Western Financial sent you a document to review and sign.

REVIEW DOCUMENT

Pac Western Financial
info@pacwesternfinancial.com

Hi there,

Thank you for requesting contracts through your sales office, who we have copied on this email. To complete the funding process please click the link, review the agreement, and follow the prompts to execute the agreement (a copy of which will be emailed to you for your records when completed.)

Additionally, please send a screen shot/print out of the complete month-to-date bank activity. Funding typically occurs the same day all of these items are received in their entirety.

Please let us know should you have any questions.

Pac Western Financial
info@pacwesternfinancial.com
Direct: 801-382-7750
www.pacwesternfinancial.com

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1C7869D412914DB9A66C94AFF7C782E87

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< (612) 662-4205

PLAINTIFF'S
EXHIBIT

F

sir this is Mark from
JaScott investment
did you completed the
bank verification?

I am getting bombarded
with phone calls from
funding agencies.
Literally 50 per day.
I can't even work
because of the calls.
I don't know whose
who. I'm sending this
to everyone. Nothing
personal. Please don't
call or text again.

i just send you the email
again

at callier74



... ..

⊕ Text message



1:01

5G 60%

< (612) 662-4205

because of the calls.

I don't know whose
who. I'm sending this
to everyone. Nothing
personal. Please don't
call or text again.

PLAINTIFF'S
EXHIBIT

G

Apr 19, 2:31 PM • SMS

i just send you the email
again

Apr 19, 2:33 PM

at callier74

you got the mail from
mark.fawzy@jascott
.org

Tuesday, Apr 19 • 4:26 PM

As you have said you
are getting blasted
with calls. ↓ st save

⊕ Text message

|||

○

<

1:02     5G  59% 

< (612) 662-4205



Tuesday, Apr 19 • 4:26 PM

PLAINTIFF'S
EXHIBIT**H**

As you have said you are getting blasted with calls. Just save my number and my Underwriter (516)376-3680 as we are the ones who will be getting you funded. I realize we are in an industry that numbers get back doored and people's numbers get stolen. I can assure you that was not from us, as our only interest is getting this deal across the finish line and not having our client's harassed. Please let me know when you have signed



Text message



1:04 •

5G 59%

< (516) 376-3680 :

This is dave over at
Upwise capital

PLAINTIFF'S
EXHIBIT

When will you be
completing the
contracts we sent over
last week?

Wednesday, Apr 20 • 11:04 AM

So will you be signing..?
I'll text since you don't
want me to call.

Wednesday, Apr 20 • 2:34 PM

Brandon - to clarify you
realize this is dave at
Upwise. We have the
\$50k contracts out with
you

You said y ↓ wanted

⊕ Text message

III

□

<



Brandon Callier <callier74@gmail.com>

Funding Offer

6 messages

Mark Fawzy <mark.fawzy@jascott.org>

To: callier74 <callier74@gmail.com>

Cc: Mitchell Scott <ms@jascott.org>, dave <dave@upwisecapital.com>

Thu, Apr 21, 2022 at 3:17 PM

Hey Brandon,

This is Mark, We spoke few minutes back. I am really sorry to hear out that you are getting bombarded with so many calls from so many financial companies but here is the thing I am your money guy. You have forwarded us your Application, statements, Driver's license & Voided check. You are just one step away to have the \$50,000 on your account. Please check your inbox you got the contract paper from info@pacwesternfiancial.com Just sign out the contract paper and here is the bank verification below. Just confirm it & everything will be done.

Please do call me back if you have any query. +1612-662-4205

<https://www.decisionlogic.com/44B2G6>

--
Best Regards,

Mark Fawzy.

PLAINTIFF'S
EXHIBIT

J

Mark Fawzy <mark.fawzy@jascott.org>

To: callier74 <callier74@gmail.com>

Cc: Mitchell Scott <ms@jascott.org>, dave <dave@upwisecapital.com>

Fri, Apr 22, 2022 at 9:32 AM

Good Morning Brandon, Did you got the chance to sign out the contracts?
I am trying to reach you. Give me a callback

---- On Fri, 22 Apr 2022 03:17:45 +0600 **Mark Fawzy** <mark.fawzy@jascott.org> wrote ----

[Quoted text hidden]

Dave Thurber <dave@upwisecapital.com>

To: Mark Fawzy <mark.fawzy@jascott.org>

Cc: Mitchell Scott <ms@jascott.org>, callier74 <callier74@gmail.com>

Fri, Apr 22, 2022 at 5:39 PM

What's the delay here Brandon?

[Quoted text hidden]

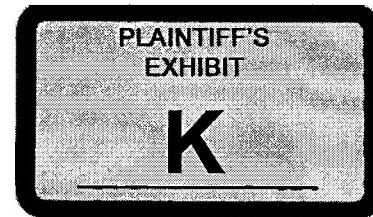
--
Best Regards,

Dave Thurber

Funding Manager

< (516) 376-3680 ☎ 🔍 🔍 ⏮

You said you wanted
this done before the
weekend give or take.
We just need you to
sign and complete bank
verification



Monday, May 2 • 5:49 AM

Brandon did you see the
two offers I sent you via
email last week?

This is dave @ Upwise.
I realize you are getting
a million calls.

Thursday, May 5 • 3:23 PM

Do the offers I sent you
work?

May 5, 3:23 PM

⊕ 📱 Text message 😊 🔍

☰ ⌂ <



Brandon Callier <callier74@gmail.com>

Funding Offers

2 messages

Mark Fawzy <mark.fawzy@jascott.org>
To: callier74 <callier74@gmail.com>

Tue, Apr 5, 2022 at 2:52 PM

Hi Brandon,

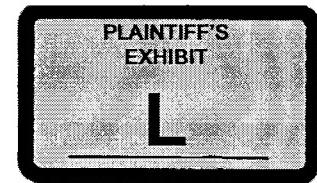
We just spoke on the phone regarding capital options for the business. I've sent my application via docusign which you can complete on your computer/smartphone. In order to get you qualified and present options I would need the application completed with the last three months of business bank statements and I can put together some options within a couple of hours. There is no cost , no obligation and we do not do any hard credit pulls. We base our offers solely on the performance of the business.

Thank you for taking the call and giving me the shot to earn your business.

Check the docusign email with SUBJECT LINE : Funding Application. Please Docusign: JaScott Loan Application

And do attach the bank statements and reply back to this email.

Thank you.



Mark Fawzy
Funding Specialist

JaScott Investments

Website : <https://www.jascott.org/>
Address : 8500 N Stemmons Freeway Ste 3019 Dallas, TX 75247
311 N. Mangoustine Ave Sanford Fl, 32771 Eden Prairie, MN

Email : support@jascott.org
For more queries call (877) 360-7387

Mark Fawzy <mark.fawzy@jascott.org>
To: callier74 <callier74@gmail.com>

Tue, Apr 5, 2022 at 5:02 PM

Any update regarding the application and statement? Everything from my side is done as soon as you send I will get back to you with the offer.

---- On Wed, 06 Apr 2022 02:52:31 +0600 **Mark Fawzy** <mark.fawzy@jascott.org> wrote ----
[Quoted text hidden]



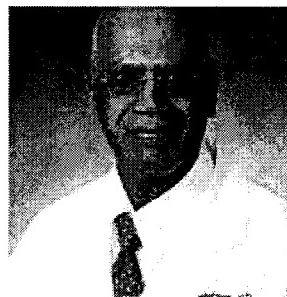
PLAINTIFF'S
EXHIBIT

M

Meet Our Team

[Home](#) >> Our Team

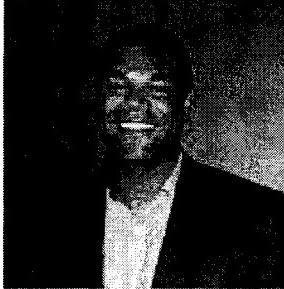
We are JaScott! An innovative home building and remodeling company that focuses on bringing environmentally friendly and energy efficient homes to the markets we serve.



Dr. Len Mallaiah
Founder and CEO

Dr. Len Mallaiah is the visionary founder of JaScott Enterprises. A Physician by trade, Len has always been fascinated with real estate. Initially this fascination was just a hobby. Over time, the hobby grew into a passion, which has fueled the success of JaScott.

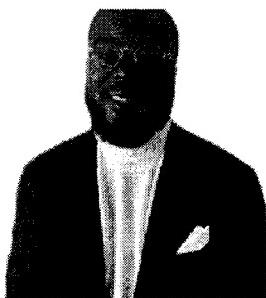
Len believes once you have found something you truly love, it is no longer considered work. To pursue his vision of building exceptional homes, Len founded JaScott Enterprises under the premise of being able to create healthy, happy homes, for individuals and families.



Mitchell Scott
Managing Director

Originally from East Texas and a graduate of the University of Kansas, Mitch has 13 years of experience in Sales, Insurance, IT admin systems and Investing. As a husband and father of 2 when he is not working he enjoys tennis and spending time with family and friends.

His business practice is to run a lean operation and share the cost savings with our clients. We place a high value on our customer relationships and understand that a referral is the greatest compliment we can achieve.



Damien Evans
Lending Consultant

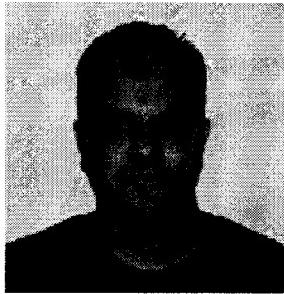
Damien Evans is a native Minnesotan with many years of experience in relationship management and customer service. Damien began his career in hospitality but made the switch when he learned how he could help businesses grow by providing them the capital they need.

Damien believes that integrity, hard work, and determination are the keys to success in any path in life, and it all begins with a leap of faith. Damien is a husband and a very active father of 3. When he's not helping businesses grow dreams, you can find him spending time with his family, friends and coaching one of his beautiful children.



Lisa Mallaiah
Creative Director

Lisa has over 5 years experience in Creative Design and Project Management. Lisa's passions are design, fashion, health and family. She has the rare ability to incorporate her passions into everything she does. Lisa's business approach is to love what you do and allow your true self to be free and expressive through your work. Lisa's ability to take bold concepts/trends and make them accessible to our clients is one of the key advantages of working with JaScott.



Vinay Gangadharan
Digital Strategy Officer

A born and raised NYer, Vinay has over 15 years of experience in Product Development, Customer Relations, and Digital Strategy in a number of different industries. In all his roles there has been one constant and that has always been to improve his customers' experiences.

When he's not busy thinking in his customer's shoes, you can find him biking around the city, trying a new restaurant or just being awesome. Vinay's easy going personality, wealth of knowledge, and positive attitude make him a great asset for our team.



Cheryl Mallaiah
Compliance and Philanthropy

Cheryl has more than 14 years of experience in Operations Management and Compliance. Cheryl's detailed oriented nature and personality make her a great internal resource for our clients. She gives our clients great comfort in knowing that we are always just a phone call away. Her interests include spirituality, practicing presence, and meditation.

About Us

We are JaScott! An innovative real estate, lifestyle, and financing company specializing in building communities and helping people live life to the fullest. JaScott offers business owners alternative working capital solutions through our various funding programs for business loans and Real Estate loans for both residential and commercial properties.

[Read More](#)

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-  Real State
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-  Contact Us

How To Find Us

 8500 N Stemmons Freeway Ste 3019 Dallas, TX 75247

 311 N. Mangoustine Ave Sanford FL 32771

 Eden Prairie, MN

 support@jascott.org

 (877) 360-7387



 Facebook  Twitter  LinkedIn

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Brandon Callier <callier74@gmail.com>

Working Capital Loan of \$60k for Aero Services.

1 message

Mitchell Scott <ms@jascott.org>
To: Brandon Callier <callier74@gmail.com>

Wed, Apr 6, 2022 at 9:30 AM

Hi Brandon,
My name is Mitchell, and you spoke with my teammate, Max Willilams, last week. He asked me to call you to discuss helping you obtain a working capital loan of \$60k for Aero Services.

Highlights of our Best Loan Programs

- Interest rates as low as 7%
- Terms as long as 8 years
- Monthly Payments
- Offer personal and real estate loans



The minimum requirements for any of our loan programs are:

- Credit Score: 500
- Monthly Revenue: \$5,000
- Time in Business: 6 months

To qualify for the best Loans terms, here are the minimum requirements:

- Credit Score: 620
- Annual Revenue: \$100K
- Time in Business: 1 year
- Business: (Profitable)

To get a loan approved from underwriting, here is what we need to move forward:

- **Required Documents**
 - Complete Lending Application (Click on Link)
 - Three months of Bank Statements
- **Optional Documents (For best rates and longer terms)**
 - 6 months of bank statements
 - YTD Profit and Loss Statements
 - Most recent 2 years tax return

We take pride in our integrity and transparency, so we wanted to send you our LinkedIn profile, Google profile, and website so that you can know a little about us and our history.

- JaScott.org
- Google Profile
- Linkedin Profile

If you have any questions, please call me, or email me.

Mitch Scott
214-206-9382
www.jascott.org





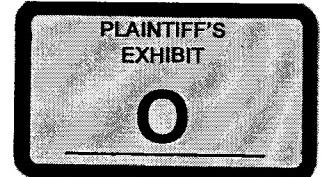
Brandon Callier <callier74@gmail.com>

Please DocuSign: JaScottLoanApplication (1).pdf

1 message

Mitchell Scott via DocuSign <dse_na2@docsign.net>
Reply-To: Mitchell Scott <ms@jascott.org>
To: Brandon callier <callier74@gmail.com>

Tue, Apr 5, 2022 at 2:49 PM



Mitchell Scott sent you a document to review and sign.

REVIEW DOCUMENT

Mitchell Scott
ms@jascott.org

Nice talking to you today. The next step is to complete this application and send over your last three months of bank statements. Once we get this back, we can typically have our terms back within two days. Let me know if you have any questions.

Thanks

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